

Resolution No.: 17-108
Introduced: April 26, 2011
Adopted: May 3, 2011

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Navarro, Council President Ervin and
Councilmembers Elrich, Leventhal, Floreen, Rice, and Riemer

SUBJECT: Resolution Promoting Community Safety and Trust among Residents and the County's Law Enforcement Agencies

Background

1. The County Council believes in the dignity of all of its residents and recognizes the importance of their contributions to social, religious, cultural, and economic life.
2. Montgomery County has long been home to immigrants from around the world, who come here seeking peace, stability, and a better life for their families.
3. The County's foreign born population has nearly doubled since 1990 from 141,000 to over 279,000, accounting for 30% of the County's population and over 40% of all of Maryland's immigrants.
4. Furthermore, the County has a racially, ethnically, and culturally diverse population and more than 50% of our residents and students at our school system are Hispanic/Latino, African American, Asian-American or multi-racial.
5. Montgomery County promotes public trust in government and law enforcement and the reciprocal respect for the rule of law, which are vital to promoting public safety.
6. The mission of the Montgomery County Police Department is to "safeguard life and property, preserve the peace, prevent and detect crime, enforce the law, and protect the rights of all citizens." The Montgomery County Police Department is also "committed to working in partnership with the community to identify and resolve issues that impact public safety."
7. Local law enforcement agencies, including those in Montgomery County, submit all arrest data, including fingerprints, to the FBI to check for criminal history records. Under the U.S. Immigration and Customs Enforcement (ICE) "Secure Communities" program all fingerprints submitted to the FBI are also checked against ICE records for verification of an individual's immigration status.

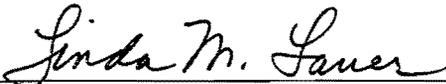
8. According to ICE, the Secure Communities program improves public safety by allowing it to better “identify, detain and ultimately remove dangerous criminal aliens.” Furthermore, ICE states that it “prioritizes the removal of criminal aliens by focusing efforts on the most dangerous and violent offenders.”
9. The Memorandum of Agreement between ICE and the Maryland Department of Public Safety and Correctional Services also states that the purpose of said agreement is “the identification and removal of aliens who are convicted of a serious criminal offense.”
10. However, according to ICE data, 26% of those deported nationwide under Secure Communities since 2008 have been non-criminals. In some jurisdictions, more than 75% of deportations have been of non-criminals.
11. This data contradicts the stated purpose of Secure Communities, which is the removal of dangerous criminals from our borders, including murderers, rapists, drug dealers and felons.
12. The County Council believes that public safety depends on the ability of all of our residents to interact with our local enforcement authorities without fear due to actual or perceived discrimination based on race, national origin, ethnicity or immigration status.
13. On April 26, 2011 we were notified by ICE that the Secure Communities “activation date for Montgomery County is scheduled for Tuesday, September 27, 2011.”
14. The Montgomery County Council is concerned that the Secure Communities program, as currently administered, will create division in our community, promote a culture of fear, and dismantle the trust that our police officers have worked to establish in many immigrant communities throughout the County. Furthermore, the Council is concerned about the additional costs to the County of detaining individuals until ICE assumes custody.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The Montgomery County Council values the trust and confidence of all its residents and encourages our public safety officials to work closely with ICE to ensure that the Secure Communities program is implemented consistent with its stated purpose and goals.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council